

Application No.: 09/899,489

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**REMARKS**

Claims 1-15 stand rejected in the present Office Action. In this response, claims 1, 8, and 12-14 are amended. Accordingly, claims 1-15 are pending in the present application. Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and reasons.

As a preliminary matter, in a telephone discussion with the undersigned attorney, the Examiner clarified that references to claims 1-20 in the Office Action is a typographical error, and should instead be claims 1-15.

**35 U.S.C. § 112, second paragraph, rejection**

On page 2 of the Office Action, claims 1-15 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards to be his invention. In particular, the Examiner states that:

All claims recite "user's identity not known" yet all claims recite "user is identified by a unique identifier." This is a contradiction. If the identify is not known, then how is there a unique identifier? Perhaps some information about the user is not known but this is not clearly claimed.

Each of independent claims 1 and 14 has been amended to recite that the "user's real identity is not known and where such user is identified by a unique identifier that is unique to the closed network or system." Independent claim 8 has been amended to recite that the "user's real identity is not disclosed and where such user is identified by a unique identifier that is unique to the closed network or system." Independent claim 12 has been amended to recite that the "person's real identity is not known and where such person is identified by a unique identifier that is unique to the system."

Support for the amendment is found in the application as filed. "[T]he user is only known in the system by a unique identifier and never by the user's real identity." The user's real identity

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comprises real-world personal information about the user, for example, "the user's name, address, social security number, and credit card numbers." Paragraph 0037.

The unique identifier, on the other hand, comprises a "pseudonym or a user-supplied user name unrelated to the user's real identity." Even if the "user-supplied user name may actually contain information that may reveal the user's real identity," the system may take a user-supplied user name and "convert it to a unique identifier" to "ensure that no information about the real individual is ever revealed or is kept" by the system. Paragraph 0048. Thus, when a user name or identifier "is unique to the system," then the system can uniquely identify a user based on that unique identifier even though the system does not know that user's real identity. Paragraph 0050.

In this manner, user preferences and experience profiles can be gathered in a closed network or system and transactions can pass into and out of the closed network or system, all without knowledge or use of the users' real identities. See Paragraph 0030.

Accordingly, Applicant respectfully submits that rejection of claims 1-15 has been overcome. Dependent claim 13 is amended to correct a grammatical error. No new matter is added.

#### **Allowable subject matter**

On Page 2 of the Office Action, the Examiner states that claims 1-15 would be allowable if amended to overcome the 35 U.S.C. § 112, second paragraph, rejection above.

Upon amendment of independent claims 1, 8, 12, and 14, Applicant respectfully submits that claims 1-15 are now in condition for allowance. Applicant thanks the Examiner for allowance of these claims.

In view of the foregoing, it is respectfully submitted that each and every outstanding rejection has been overcome. Applicant believes the present application is now in immediate condition of allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a

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telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 479942000400. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 14, 2005

Respectfully submitted,

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